

01-19-01

A/Box Sec

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PTO/SB/05 (4/98)  
 Approved for use through 09/30/2000. OMB 0651-0032  
 Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Attorney Docket No. S0-3221-US

First Inventor or Application Identifier Deborah J. Phippard

Title See 1 in Addendum

Express Mail Label No. EJ628817351US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ \* Fee Transmittal Form (e.g., PTO/SB/17)  
 (Submit an original and a duplicate for fee processing)
2. ☒ Specification [Total Pages 144]  
 (preferred arrangement set forth below)
- Descriptive title of the Invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to Microfiche Appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
3. ☐ Drawing(s) (35 U.S.C. 113) [Total Sheets ☐

4. Oath or Declaration [Total Pages ☐
  - a. ☐ Newly executed (original or copy)
  - b. ☐ Copy from a prior application (37 C.F.R. § 1.63(d))  
 (for continuation/divisional with Box 16 completed)
  - i. ☐ DELETION OF INVENTOR(S)  
 Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

\* NOTE FOR ITEMS 1 & 13 IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).

ADDRESS TO: Assistant Commissioner for Patents  
 Box Patent Application  
 Washington, DC 20231

5. ☐ Microfiche Computer Program (Appendix)
6. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
- a. ☒ Computer Readable Copy
  - b. ☒ Paper Copy (identical to computer copy)
  - c. ☒ Statement verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

7. ☐ Assignment Papers (cover sheet & document(s))
8. ☐ 37 C.F.R. § 3.73(b) Statement ☐ Power of Attorney  
 (when there is an assignee)
9. ☐ English Translation Document (if applicable)
10. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
11. ☐ Preliminary Amendment
12. ☒ Return Receipt Postcard (MPEP 503)  
 (Should be specifically itemized)
13. ☐ \* Small Entity Statement(s) ☐ Statement filed in prior application  
 (PTO/SB/09-12) ☐ Status still proper and desired
14. ☐ Certified Copy of Priority Document(s)  
 (if foreign priority is claimed)
15. ☐ Other: .....

16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: \_\_\_\_\_ / \_\_\_\_\_

Prior application information: Examiner \_\_\_\_\_ Group / Art Unit: \_\_\_\_\_

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 17. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label:

(Insert Customer No. or Attach bar code label here)

or ☒ Correspondence address below

Name	Rachel Polster		
	Patent Department Central		
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Name (Print/Type)	Rachel Polster	Registration No. (Attorney/Agent)	47,002
Signature	<i>Rachel Polster</i>	Date	01/18/01

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3c961 U.S. PTO  
01/18/01

PTO/SB/17 (12-97)

Approved use through 09/30/00. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL

Note: Effective October 1, 1997.  
Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 2162.00)

## Complete if Known

Application Number	not assigned
Filing Date	January 18, 2001
First Named Inventor	Deborah J. Phippard
Group Art Unit	not assigned
Examiner Name	not assigned
Attorney Docket Number	SO-3221-US

## METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 19-1025

Deposit Account Name

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 ☐ Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance

2. ☐ Payment Enclosed:

☐ Check ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. FILING FEE

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
101 790	201 395	Utility filing fee	710
106 330	206 165	Design filing fee	
107 540	207 270	Plant filing fee	
108 790	208 395	Reissue filing fee	
114 150	214 75	Provisional filing fee	
SUBTOTAL (1)			(\$ 710)

### 2. CLAIMS

Total Claims	Extra	Fee from below	Fee Paid
59 - 20 = 39	X 18	= 702	
9 - 3 = 6	X 80	= 480	
Multiple Dependent Claims	270 X	= 270	

Large Entity Fee Code	Small Entity Fee Code	Fee Description
103 22	203 11	Claims in excess of 20
102 82	202 41	Independent claims in excess of 3
104 270	204 135	Multiple dependent claim
109 82	209 41	Reissue independent claims over original patent
110 22	210 11	Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$ 1452.00)		

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 950	217 475	Extension for reply within third month	
118 1,510	218 755	Extension for reply within fourth month	
128 2,060	228 1,030	Extension for reply within fifth month	
119 310	219 155	Notice of Appeal	
120 310	220 155	Filing a brief in support of an appeal	
121 270	221 135	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,320	241 660	Petition to revive - unintentional	
142 1,320	242 660	Utility issue fee (or reissue)	
143 450	243 225	Design issue fee	
144 670	244 335	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Petitions related to provisional applications	
126 240	126 240	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 790	246 395	Filing a submission after final rejection (37 CFR 1.129(a))	
149 790	249 395	For each additional invention to be examined (37 CFR 1.129(b))	
Other fee (specify) _____			
Other fee (specify) _____			
* Reduced by Basic Filing Fee Paid			
SUBTOTAL(3)			(\$ )

## SUBMITTED BY

Typed or Printed Name Rachel Polster

Signature Rachel A. Polster

Date 01/18/01

## Complete (if applicable)

Reg. Number 47,002

Deposit Account User ID

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PATENT

S0-3221-US

IN RE APPLICATION OF

Phippard et al.

GROUP ART UNIT: UNKNOWN

SERIAL NUMBER: UNKNOWN

EXAMINER: UNKNOWN

FILED: January 17, 2001

DATE: January 18, 2001

TITLE: OSTEOARTHRITIS TISSUE-DERIVED NUCLEIC ACIDS,  
POLYPEPTIDES, VECTORS, AND CELLS

**Certification of Mailing**

I hereby certify that the correspondence is being  
deposited with the United States Postal Service as  
first class mail in an envelope addressed to:  
Commissioner of Patents and Trademarks, Washington D.C. 20231  
on January 17, 2001.

Rick Burd Date 1-18-01

**STATEMENT UNDER 37 CFR 1.821 § (f)**

Commissioner of Patents and Trademarks  
Washington, D. C. 20231

Sir:

This will confirm that the content of the Paper Copy of the  
Sequence Listing and the Computer Readable Copy of the Sequence  
Listing submitted herewith are the same.

Please charge any appropriate fees to Deposit Account No. 19-1025.

Respectfully submitted,

Rachel Polster

Rachel Polster

Registration No. 47,002

636-737-5761- (St. Louis)

G.D. Searle & Co.  
Patent Department Central  
P.O. Box 5110  
Chicago, Illinois 60680

0976531 011801

Practitioner's Docket No.

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Graneto et al.

Filed: January 18, 2001

For: OSTEOARTHRITIS TISSUE-DERIVED NUCLEIC ACIDS, POLYPEPTIDES, VECTORS, AND CELLS

Assistant Commissioner for Patents

Washington, D.C. 20231

EXPRESS MAIL CERTIFICATE

"Express Mail" label number EJ628817351US

Date of Deposit: 01/16/01

I hereby state that the following *attached* paper or fee

Utility Application Transmittal

Fee Transmittal

Specification

Computer readable copy of sequence listing

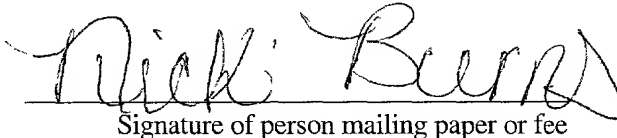
Paper copy of sequence listing

Statement under 37 C.F.R. 1.821

Return Receipt Postcard

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10, on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Nicki Burns

A handwritten signature in cursive script that reads "Nicki Burns". The signature is written in dark ink and is positioned above a horizontal line.

Signature of person mailing paper or fee

(Express Mail Certificate)